

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of
Martin Feldman et al.

Group 2882

Serial No. 09/726,640

Examiner Kao, Chih Cheng G.

Filed: November 30, 2000

For: "Optical Crossbar Switch" (Atty. File No. 0026 Feldman)

**Comments on Statement of Reasons for Allowance,
and Supplement to Examiner Interview Summary**

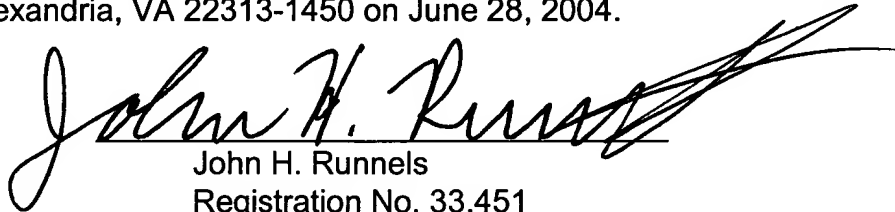
M.S. Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The following comments are made in response to the Reasons for Allowance and the Examiner Interview Summary that accompanied the June 16, 2004 Notice of Allowance and Notice of Allowability.

CERTIFICATE

I hereby certify that these Comments on Statement of Reasons for Allowance, and Supplement to Examiner Interview Summary Record are being deposited with the United States Postal Service as first class mail in an envelope addressed to: M.S. Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 28, 2004.


John H. Runnels
Registration No. 33,451

June 28, 2004

Comments on Statement of Reasons for Allowance

Applicants note for the record that the scope of the Claims is defined by their actual limitations, not by any paraphrase of those limitations.

Supplement to Examiner Interview Summary

The following remarks are presented to supplement the Examiner Interview Summary of the telephonic interview of June 8, 2004. Except as noted below, Applicants concur in the Examiner Interview Summary.

The principal reference discussed was Healey, rather than Nishi.

The undersigned does not recall any discussion concerning the "cover figure."

The Examiner proposed certain claim amendments whose wording the undersigned did not record. The undersigned's recollection is that the proposed amendments would have added additional verbiage to the Claims, but that they would not have changed their scope, with one exception. However, the undersigned conducted the telephone interview "cold" when he received a telephone call from the Examiner, an interview that had not been scheduled in advance. Furthermore, the undersigned's background is not in optics. For these reasons the undersigned was hesitant to agree to such amendments on the spur of the moment, from concern that the amendments might have implications that were not immediately apparent to him. The undersigned accordingly suggested that the claims then pending were already clear, and that they did not require further amendment.

The one proposed amendment that the undersigned understood would have changed the claim scope was the Examiner's proposal to add limitations affirmatively

reciting light sources as required elements of Claim 1. The undersigned did not agree to this amendment, as it would have narrowed the scope of the Claim without any apparent need to do so.

The undersigned did agree to an Examiner's amendment to Claim 20, to conform its language to that of a June 26, 2003 amendment to Claim 1. This conforming amendment was overlooked at the time of the June 26, 2003 amendment. No change in scope is intended, for the reasons given in the June 26, 2003 amendment.

The general thrust of the undersigned's arguments was to repeat the arguments found in the March 1, 2004 Request for Continued Examination.

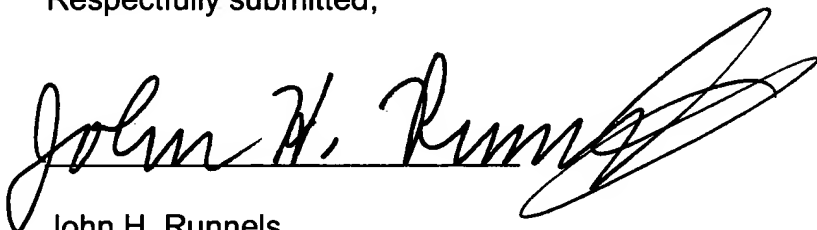
The Examiner indicated general agreement with the undersigned's position, after the Examiner's amendment to Claim 20, but indicated that he would need to confirm with his supervisor. The undersigned received no further communications concerning this application until the recent receipt of the Notice of Allowance and accompanying papers, so the undersigned infers that the Examiner's supervisor was also in agreement.

Miscellaneous and Conclusion

If any extension of time is required, please consider this paper a petition for the total extension of time needed. If any fees are due in addition to the issue fee and advance order for copies that are being paid by the enclosed \$701 check, please refer to the general Deposit Account Authorization previously filed in this application.

Issuance of a patent on this application at an early date is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, reading "John H. Runnels", with a large, stylized flourish extending from the end of the name.

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June 28, 2004